

REMARKS

The Examiner is thanked for the courtesies extended during a telephonic interview. The substance of the Applicant's remarks during the interview are embodied in those below.

Rejections under §112

Pending claim 15 has been amended as suggested by the Official Action.

Rejections under §102 and §103

Claim 1 was previously amended to require, "a bumper coupled to the expansion portion such that movement by the expansion portion between the retracted position and the extended position causes the bumper to move therewith." (hereinafter, "the bumper limitation"). The Official Action cites a number of references as anticipating claim 1. In each rejection, the Official Action states "Webster's Ninth New Collegiate Dictionary (1990) defines a bumper as 'a device for absorbing shock or preventing damage.'" Whereas this definition is a reasonable one, the Official Action then falters in its application of this definition by vitiating the bumper limitation, which is impermissible.

The Official Action cites a back wall or equivalent thereof of an expansion portion for each reference and states that such back wall satisfies the bumper limitation. In discussing U.S. Patent No. 6,213,531 to Corey, the Official Action states that such back walls "would serve to absorb shock to the rear portion 40 and prevent damage to the expandable cabin portion. Note for example, if a baseball or stone were accidentally thrown at portion 40 and struck element 43, element 43 would clearly absorb the shock of the ball or stone and protect the overall structure 40 from damage." First, rear panel 43 is a part of extension 40. Accordingly, any damage to or force experienced by the rear panel 43 is inherently experienced by the greater extension 40, of which rear panel 43 is a part. Second, rear panel 43 is not described as having any force absorbing properties nor described as providing any sort of damage protection.

When repeating the rejection with respect to U.S. Patent No. 5,127,697 to St. Marie, the Official Action cites back wall 17 and states that "Clearly element 17 would serve to absorb at least some shock and prevent at least some damage to the surrounding structure of the device." Accordingly, the Official Action is stating that any material that fails to allow a perfectly elastic collision (defined as "no loss of kinetic energy") would satisfy the stated definition by "absorbing at least some shock." On the scales of matter with which the present application is dealing, applicant can not think of any collision that is perfectly elastic. Accordingly, all

relevant matter in all relevant configurations would satisfy the Official Action's test of "absorbing at least some shock." Thus, the Official Action's application of their selected definition encompasses all matter and vitiates the bumper limitation. By doing so, the Official Action fails to make a reasonable interpretation. The Official Action continues to cite U.S. Patent No. 4,133,571 to Fillios, U.S. Patent No. 6,367,858 to Bradford, and U.S. Patent No. 6,302,475 to Anderson stating that portions thereof "would serve to absorb at least some shock." Clearly, the standard of only requiring absorbing "at least some shock" is not a proper test to determine whether something satisfies this limitation.

Furthermore, all pending claims, except for allowed claims 24, 37, 47, 48, and 50, depend from claim 1. Accordingly, claims 1-3, 7, 8, 12-14, 20, 24, 25, 36, 37, and 42-55 are believed to be in condition for allowance. Such allowance is respectfully requested.

Conclusion

Claims 1-3, 7, 8, 12-14, 20, 24, 25, 36, 37, and 42-55 are believed to be in condition for allowance. Such allowance is respectfully requested. In the event of the allowance of either or both of claims 1 and 15, examination of the withdrawn claims depending from the allowed independent claim 1, 15, or both is also requested.

If necessary, please consider this a Petition for Extension of Time to effect a timely response. Please charge any additional fees or credits to the account of Baker & Daniels LLP Deposit Account No. 02-0390.

In the event that there are any questions related to these amendments or to the application in general, the undersigned would appreciate the opportunity to address those questions directly in a telephone interview to expedite the prosecution of this application for all concerned.

Respectfully submitted,



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